IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE SEVENTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE BILAL NAZKI

and
THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO : 15704 of 2004

Between:

B. Chandra Bosu Reddy S/o Narasimha Reddy
R/o Pedda Kottapally, Mahabubnagar District

..... PETITIONER

AND

1 The Regional Transport Officer, Mahabubnagar
2 The Assistant Motor Vehicles Inspector, Office of the RTA.,

Mahabubnagar

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, order or direction, more particularly one in the nature of Writ of Mandmaus declaring the action of the Respondent No.2 in seizing my vehicle i.e. Jeep. No. A.P. 21-C 2089 (Omini Bus) Mahindra & Mahindra on 30-8-2004 undercheck report No. 289036 as illegal, arbitrary and against the principles of natural justice and consequently direct the respondent 1 and 2 to release petitioenr vehicle i.e. Jeep No. AP-21-C Mahendra and Mehendra (Omini Bus) forthwtih in the interest of justice and fair play.

Counsel for the Petitioner:MR.K.VENKATA REDDY

Counsel for the Respondent No.: GP FOR TRANSPORT

The Court made the following O R D E R:

(Per the Hon'ble Sri Justice Bilal Nazki).

Heard learned counsel for the parties. With their consent, the writ petition is being disposed of at this stage.

On allegations, including the allegation that the petitioner has not paid the tax, the vehicle has been seized. We direct that the vehicle be released to the petitioner on payment of the tax due. On release of vehicle, the petitioner shall undertake that he will not create third party interest in the vehicle. The allegations regarding the petitioner shall be enquired into by the authorities.

The writ petition is accordingly disposed of. No order as to costs.

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(BILAL NAZKI, J)

7th September, 2004

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(S.ANANDA REDDY,J)

Note:Issue operative portion by wire at party's cost

b/o

vrn

To

1 The Regional Transport Officer, Mahabubnagar
2 The Assistant Motor Vehicles Inspector, Office of the RTA.,

Mahabubnagar

3 Two C.Cs to the Government Pleader for Transport,

High Court Buildings, A.P., Hyderabad.

4 Two C.D copies